Proposed Modifications to the Basin Plans to Incorporate a Drought and Conservation Policy

CHAPTER 4 IMPLEMENTATION

The following paragraphs are proposed for addition to *Chapter 4 Implementation* of the Sacramento River and San Joaquin River and Tulare Lake Basin Plans within the proposed Salt and Nitrate Control Program at a location in the chapter to be determined.

Drought and Conservation Policy

Unless otherwise excluded based on requirements of the Salinity Control Program, a discharger (or third party group on behalf of collective dischargers) may qualify for a conditional variance or exception to discharge requirements related to the implementation of water quality objectives for salinity under one or more of the following conditions:

a) A drought emergency is declared by an authorized federal or state authority, as defined by the California Emergency Services Act;
b) A local drought emergency is declared, consistent with the California Emergency Services Act; or
c) Water conservation and/or water recycling efforts may be causing or cause the concentration of salinity to increase in the effluent, discharges to receiving waters, or in receiving waters.

During Statewide or Local Drought Emergencies

Dischargers (or third party group on behalf of collective dischargers) shall receive interim effluent and/or groundwater/surface water limitations based on TDS loading consistent with their historic load (with consideration given to reasonable increment of use or changes in source water salinity concentration) and shall not exceed an EC concentration of 2,200 µS/cm as a 30-day running average. An EC to TDS ratio of 0.64 shall be used to convert the EC concentrations to TDS concentrations, unless a discharge-specific ratio can be demonstrated. The Regional Board has the discretion to adjust these limitations based on local conditions including but not limited to local beneficial use protection and site-specific salinity objectives. The interim effluent and/or groundwater/surface water limitations will remain in effect during the time period when one or more of the conditions noted in a or b, above, are met.

Water Conservation and Recycling Efforts

A discharger (or third party group on behalf of collective dischargers) may qualify for a conditional variance or exception by submitting documentation identifying water conservation and/or water recycling efforts that may be causing or cause the concentration of salinity to increase in the effluent, discharges to receiving waters, or in receiving waters. Interim permit limits will be based on one of the following.

a) Dischargers (or third party group on behalf of collective dischargers) who demonstrate that their permitted discharges have a lower salinity concentration than the receiving water salinity concentration shall receive interim effluent and/or groundwater/surface water limitations that do not exceed the receiving water salinity concentration, provided there are no unreasonable impacts to downstream/downgradient water quality.

b) The remaining dischargers (or third party group on behalf of collective dischargers) shall receive interim effluent and/or groundwater/surface water limitations based on TDS loading consistent with their historic load (with consideration given to reasonable increment of use or changes in source water salinity concentration) and shall not exceed an EC concentration of 2,200 µS/cm as a 30-day running average. An EC to TDS ratio of 0.64 shall be used to convert the EC concentrations to TDS concentrations, unless a discharge-specific ratio can be demonstrated. The Regional Board has the discretion to adjust these limitations based on other considerations such as local beneficial uses and site-specific salinity objectives.

In lieu of a conditional exception, dischargers to groundwater who submit documentation describing a long-term commitment (20 year planning horizon) to water conservation and/or water recycling efforts may be eligible to use a long-term (10+ year) flow-weighted average to calculate compliance with effluent and/or groundwater limitations when it can be demonstrated using recharge models and long-term precipitation estimates that applicable narrative or numeric salinity objectives can be met in the receiving water over the term of the compliance period. Periodic reassessments based on the best available data need to be conducted every X years to ensure that salinity objectives will be met and beneficial uses are protected.